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PLLC

T (516) 280-3008
F (212) 656-1845
www.BellLG.com

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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10-17-17

October 16, 2017

VIA ECF

District Judge Vincent L. Briccetti
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Hiller v. Schwartz & Feinsod, Inc., et al; Index No. 16-CV-5447 (VB)

Dear Judge Briccetti:

This firm represents the Plaintiff in the above-referenced action. Per Your Honor's Order on September 1, 2017, we hereby submit this joint letter regarding the status of the arbitration.

On August 29, 2017, arbitration was held in this matter. Before the hearing, the parties submitted pre-arbitration memoranda. At the hearing, the parties jointly submitted several exhibits and made opening statements. After these opening statements, the Arbitrator informed the parties that he did not have jurisdiction over Plaintiff's claims under the Fair Labor Standards Act and New York Labor Law. The parties prepared, and the Arbitrator has signed, an agreed-to form of order for the Arbitrator to issue that has resolved the remaining issues in the Arbitration, which is attached hereto as Exhibit A.

As the Arbitrator has declined jurisdiction, the parties request that Your Honor lift the stay that is currently in place on this matter and permit Defendants 21 days to file an Answer from the date of the Arbitrator's Order.

Thank you for your consideration.

Respectfully submitted,

Brian A. Bodansky, Esq.

APPLICATION GRANTED
SO ORDERED:

VB
Vincent L. Briccetti, U.S.D.J.

Dated: 10/16/17

White Plains, NY

*The Court's order staying
this action does (Doc. # 28)
is vacated. Answer due
10/26/17.*